

The Examiner is thanked for the indicated allowability of claims 2-7, 8/7, 9-12, 14-17 and 18/17 if rewritten in independent form including all of the limitations of the base claim and any intervening claims. New independent claims 20-22 each include the allowable feature of objected claim 2, as well as the features of independent claims 1, 13 and 19. Accordingly, claims 20-22 should be in condition for allowance.

The Office Action rejected claims 1, 8/1, 13, 18/13 and 19 under 35 U.S.C. §102(b) as being anticipated by Hirano et al. (hereinafter "Hirano"), U.S. Patent No. 5,553,277. The rejection is respectfully traversed.

Hirano discloses an image search method for searching and retrieving a desired image from a memory device. An image is first stored in an image database in a memory device. The image database can then be searched and the image retrieved at high speed. The image is input using an image input unit 15, such as an image scanner or video camera. The image is reduced by a reduced-image generator 121 of a processor 12 to a quarter of its original size and then the resulting image data is input into a compressing device 122. The compressed data is then stored in a compression buffer 11a-2. By way of one of the compression methods discussed in Hirano, the data is compressed by representing the image by a pattern and its continuous numbers, as taught in column 7, lines 52-58, referred to by the Examiner in the rejection. When one wants to retrieve an

image, the image search system is started and a top menu screen is displayed on the display device, as taught in column 8, lines 59-65, also referred to by the Examiner in the rejection. The image data base has various functions which are displayed on the top menu screen by designating icons  $ICN_1$ - $ICN_6$ . A user moves a mouse cursor to the menus, or simultaneously presses a control key and keys corresponding to the characters assigned to the icons  $ICN_1$ - $ICN_6$ , to select menu options.

In contrast, the present invention provides a method of menu selection activation using image cognition. The present invention selects and activates a menu list in response to a user's motion or movement of a particular device while recognizing a user's image using an image capturing device, such as a camera. The present application menu selecting and activating method recognizes a position of a pattern on a screen using a pattern cognition function executed for a predetermined time period, selects a menu when the recognized pattern position is within a certain pattern region on the screen, the pattern region containing the menu, and activates the selected menu, as set forth in claim 1. Further, the application menu selecting activating method according to the invention determines a pattern position on a screen by scanning a predetermined pattern region on the screen, selects a menu on the pattern region in which the pattern is positioned and activates the selected menu, as claimed in independent claim 13. Additionally, an

application menu selecting unit activating apparatus according to the invention comprises a camera for capturing an image, and display means for displaying the image received from the camera on a screen, for designating particular regions of the screen for displaying a plurality of predetermined menus, and for selecting a menu from the plurality of predetermined menus when a pattern is positioned on its corresponding region. The Hirano reference does not disclose such features as claimed in independent claims 1, 13 and 19.

In particular, Hirano at least does not disclose or suggest selecting a menu when the recognized pattern position is within a certain pattern region on the screen, the pattern region containing the menu and then activating the selected menu, as required by independent claim 1; selecting a menu in the pattern region in which the pattern is positioned and activating the selected menu, as required by independent claim 13; and the display means as claimed in independent claim 19. That is, Hirano does not disclose or suggest selecting the menu when a pattern position is recognized within a pattern region containing the menu and responsively activating the selected menu.

Accordingly, it is respectfully submitted that the rejection of independent claims 1, 13 and 19 under 35 U.S.C. §102(b) as being anticipated by Hirano is inappropriate and should be withdrawn. Dependent claims 2-12 and 14-18 are allowable at least for the

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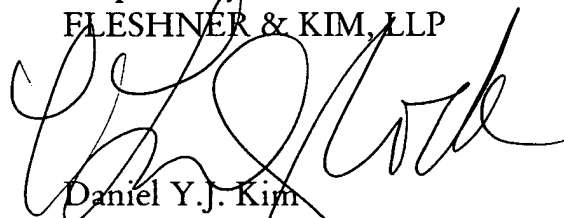
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reasons discussed with respect to independent claims 1 and 13, from which they respectively depend, as well for their added features.

In view of the foregoing amendments and remarks, it is respectfully submitted that the application is in condition for allowance. If the Examiner believes that any additional changes would place the application in better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number listed below.

To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this, concurrent and future replies, including extension of time fees, to Deposit Account 16-0607 and please credit any excess fees to such deposit account.

Respectfully submitted,  
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